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**S-4317**  
**WEST MINOR SUBDIVISION**  
**Minor-Sketch Plan**

**STAFF REPORT**  
**August 9, 2012**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioners who are also the property owners, represented by Roger Fine of John E. Fisher and Associates, are seeking primary approval for 3 lots on 7.09 acres, located on the east side of CR 400 E, approximately 1/2 mile north of SR 28, in Lauramie 13 (SW) 21-4.

**AREA ZONING PATTERNS:**

The majority of the site is zoned AW, Agricultural Wooded; although Flood Plain zoning associated with a regulated county drain runs through the center of the acreage. The tract is a 10.09 acre parent tract that has had a 1 acre tract created by court order, and one parcel created in 1985 (P85-10). This three lot subdivision will use all remaining division rights.

**AREA LAND USE PATTERNS:**

There is an existing residence on proposed Lot 2; Lots 1 and 3 are currently vacant. Surrounding land is either in crop production or large lot residential.

**TRAFFIC AND TRANSPORTATION:**

CR 400 E is classified as a rural local road by the adopted *Thoroughfare Plan*. The required 30' half-width right-of-way to be dedicated has been shown. Two 20' wide frontages are in place for the two flag lots being created per ordinance requirements. Both of these lots will get their access from the existing driveway entrance, which is located on Lot 1 and then curves out of the subdivision boundary before it reconnects with the subdivision on Lot 2. County Highway is requiring a "no vehicular access" statement along the entire frontage except this existing driveway.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

A letter from the County Health Department states that, "lots 1 and 3 can be considered for a shallow trench subsurface absorption system. Lot 2 has an existing single family dwelling located on it served by an onsite sewage disposal system."

Dredging of the County Regulated Drain that crosses the site in question is currently in process; the Surveyor's Office is requiring a Rule 5 Submittal. The County Surveyor is also requiring a note on the final plat to the effect that, "there will be no new future crossings of the regulated drain permitted within the bounds of the subdivision."

**CONFORMANCE WITH UZO REQUIREMENTS:**

Setbacks shown are correct. Lot width and area are sufficient. Because there is Flood Plain zoning onsite, a Flood Plain certification will be required at the final plat stage.

**STAFF RECOMMENDATION:**

Conditional primary approval, contingent on the following:

A. Conditions

**FINAL PLAT** – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 400 E right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. The portion of the ingress-egress easement that is off-site must be approved and signed by its property owner, recorded and referenced on the final plat.
5. All required building setbacks shall be platted.
6. The Regulatory Flood Elevation and Boundary for the East Branch of the Wea Creek tributary Flood Plain shall be shown. It shall also be described and certified as specified in Unified Zoning Ordinance, Section 2-27-17.
7. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2011-27-CM.
8. The street addresses and County Auditor's Key Number shall be shown.

**SUBDIVISION COVENANTS** – The following items shall be part of the subdivision covenants:

9. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.